

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CAROLINE SMITH-FLATOW)	
Plaintiff,)	
)	
-vs-)	No. 08 CV 0647
)	
CHICAGO POLICE OFFICERS)	Honorable Judge Aspen
S. REYES (Star #17832),)	
L. WISE (Star #15647),)	Magistrate Judge Nolan
and the CITY OF CHICAGO,)	
Defendants.)	

MOTION TO FILE 1st AMENDED COMPLAINT

NOW COMES Plaintiffs, CAROLINE SMITH-FLATOW, by and through her attorneys Jon Erickson, Michael Oppenheimer, and Brendan Shiller with the instant motion, and state as follows:

Background

1. This Section 1983 action was initiated by a complaint originally filed against Chicago Police Officers Wise and Reyes and City of Chicago (“City”), that was filed on January 30, 2008.
2. The initial complaint alleged that unlawful seizure and equal protection violations arising out of a February 05, 2007, arrest for driving under the influence of alcohol and possession of controlled substance.
3. On June 16, 2008, the DUI was dismissed by the Cook County State’s Attorney’s Office.
4. The Plaintiff seeks to amend the complaint by adding a count of malicious prosecution and due process violations.

5. For the foregoing reasons, Plaintiff requests leave to file the attached amended complaint.

Respectfully Submitted,

/s Jon F. Erickson

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